IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

John Riley Hawkins, et al.

Application No.:

10/813,899

Filed:

March 31, 2004

Entitled:

METHOD AND APPARATUS FOR

ARTIFICIAL DISC INSERTION

Docket No.:

101896-662 (DEP5055)

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system (EFS-Web) in accordance with § 1.6(a)(4).

Dated:

February 21, 2008

Signature: (Rory P. Pheiffer)

Conf. No.: 1803

Group Art Unit: 3738

Examiner: David A. Izquierdo

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

This communication is in response to the Office Action mailed on December 3, 2007.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.